IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10894 OF 2004

Chaitanshapeer Mirasayyed Huseni
Trust .. Petitioner

Versus

Smt.Fulabai Sardar Lad & Ors. .. Respondents

Mr.Nitin Gangal for petitioner

Mr.R.G.Ketkar for respondents.

CORAM : S.C.DHARMADHIKARI,J.
Vacation Judge.
DATE : JANUARY 3, 2005.

P.C.

. Mr.Gangal, learned Counsel appearing for petitioner, on pointing out that the order passed by the Civil Judge, Junior Division, Koregaon below Exh.5 in R.C.S. No.184 of 2004 is

appealable under section 104 read with order 43 rule 1 of C.P.C. to the District Court (appellate court), seeks leave to withdraw this petition with liberty to approach District Court (appellate court) in appeal. Petition is allowed to be withdrawn with liberty as prayed. All contentions on merits are expressly kept open.

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